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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

BRADLEY ROBERTS, individually,

Plaintiff,

vs.

CLARK COUNTY SCHOOL DISTRICT;
DOES I-X; and ROE CORPORATIONS I-X,
inclusive, Defendants

Case No.: 2:15-CV-00388-JAD-PAL

**STIPULATION AND ORDER TO
EXTEND DEADLINE TO FILE
OPPOSITION TO DEFENDANT'S
MOTION TO DISMISS (DKT. #9)**

(Third Request)

On April 30, 2015, Plaintiff Bradley Roberts and Defendant Clark County School District entered into a second stipulated request to extend the time for Plaintiff Roberts to respond to Defendant CCSD's motion to dismiss (Dkt. #9, filed March 20, 2015). The Court approved this request, making Plaintiff's opposition due on May 7, 2015, which undersigned counsel, responsible for its preparation, miscalendared.

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1 On May 7, 2015, Plaintiff's counsel asked Defendant's counsel to stipulate to her
2 request for a third extension of time for Plaintiff's opposition and the resulting briefing
3 schedule to allow the parties to devote their efforts to the continued exchanges of information
4 and documentation in preparation for the May 28, 2015 Early Neutral Evaluation. Plaintiff's
5 counsel suggested that these matter be postponed until after this ENE, but Defendant's counsel
6 declined and is willing to stipulate to another five days, i.e. to and including **MAY 13, 2015**.
7 The justification for this extension, shorter than that requested by Plaintiff, is as follows:

- 8 1. The breadth of issues touched upon by CCSD's motion to dismiss is far-reaching,
9 including jurisdictional timing issues of administrative proceedings below, the
10 interplay of state and federal discrimination law, the sufficiency of factual
11 allegations, governmental immunity, workers comp immunity, and the state law tort
12 claim of negligent selection, training, supervision and retention, upon which federal
13 judges in this district are split. This compels the parties to provide this Court with
14 thoughtful, complete but succinct analysis and Plaintiff, given the other matters in
15 preparation for the ENE, has been unable to complete the opposition.
- 16 2. Plaintiff's counsel has been stretched thin in the past two weeks in the following
17 manner and have been unable to complete the opposition: England Law Office has
18 another ENE brief due in a different case this week for an ENE next week, and their
19 paralegal is out for final exams at UNLV; Ms. McLetchie had pre-existing
20 depositions this week and out of state travel; and Mr. Maier is attending to clearing
21 his schedule on all matters to enable his absence for the birth of his first child.
- 22 3. This request is being made at the late request of undersigned Plaintiff's counsel,
23 who mistakenly believed that the Second Request for an extension for Plaintiff's
24 opposition made it due May 8 (when May 7 was the actual extended date).
- 25 4. Defendant CCSD is willing to allow Plaintiff to request Court approval of
26 Plaintiff's oppositional response time to be extended another five days, i.e. to May
27 13, 2015, only.

1 5. This extension will not unduly delay this matter.

2
3 DATED this 8th day of May, 2015.

4 **ENGLAND LAW OFFICE**

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DATED this 8th day of May, 2015.

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13
14 **ORDER**

15 IT IS SO ORDERED this 11th day of May, 2015.

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17 *[Signature]*
18 UNITED STATES DISTRICT COURT JUDGE

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